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C O N F I D E N T I A L SECTION 01 OF 02 ADDIS ABABA 000082

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SUBJECT: PM WELCOMES NEW CHARGE WITH SUBSTANCE

REF: 09 ADDIS ABABA 2856

Classified By: Charge John Yates for Reasons 1.4 B/D.

**¶11. (C) SUMMARY.** In a productive courtesy call on Prime Minister Meles on January 18, Charge raised USG concerns about the impact of Ethiopia's new civil society law on USG programs and U.S.-based organization as the February final implementation approaches. USAID Addis Director explained to the PM that civil society groups such as the American Chamber of Commerce need waivers, contained in the law, from foreign funding restrictions but have not received clarity from the GOE implementing agency on how to go about securing the waivers. Charge also expressed concern about limitations on humanitarian access, especially in the Ogaden Region of Ethiopia, and passed on Carter Center (TCC) concerns that prospects for TCC observation of the May elections were fading. The PM expressed little concern for the civil society law implementation deadline and expressed full confidence that its waiver provision would be liberally available. Meles acknowledged an issue on humanitarian access but said the USG should understand that the issue is whether certain organizations have as much freedom of movement as they would like and not whether people are going hungry. On Carter Center reluctance, Meles said simply, "Maybe we are better off if they do not come." On his part, Meles complained that GOE officials from the Somali Region had been denied visas to go to the U.S. while "ONLF gets visas." END SUMMARY.

**¶12. (SBU)** New Charge John Yates met with Ethiopian Prime Minister on his first full day in Addis Ababa, January 18, joined by DCM, USAID Director, and Pol-Econ Counselor. Meles was joined by senior advisor Gabremichael Gabretensae.

PM Says Foreign NGOs Should Have No Problem Under New Law

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**¶13. (C)** Charge told Prime Minister Meles he was pleased to take advantage of a previously scheduled meeting to call on the PM within 36 hours of his arrival in Ethiopia even though the primary issue for discussion, the possible expulsion of an American journalist, had fortunately been resolved. Charge said that he had heard repeatedly of the case of imprisoned opposition leader Bertukan Medeska during his Washington consultations which, although he had not come specifically to discuss, was an indication of concerns being expressed in several quarters about the state of Ethiopian democratic governance. Charge said his time-sensitive concern for this initial call was the February 13 deadline imposed by Ethiopia new civil society law that compelled non-governmental organizations to re-register with the implementing GOE agency by that date. Charge and USAID director said American organizations -- including the American Chamber of Commerce, the American Bar Association,

two organizations specializing in ethnic conflict mitigation (MercyCorps and PACT) were particularly concerned about inconsistent instructions they had received from the clearly overwhelmed implementing agency about where and how to apply for the waivers, expressly allowed by Article 3 of the law, of foreign-funding restrictions for certain NGOs.

¶ 14. (SBU) PM Meles replied that the waiver provision, although written to benefit human rights organization, could easily be adapted to other purposes because it gives the implementing agency broad discretion to take action "in the interest of the government." He cited the "Ethio-American Chamber of Commerce" as particularly deserving of accreditation after the significant effort made to organize it, adding that it remained only to draft a specific "time-bound" contract as contemplated by the law. More generally, Meles said other concerned organizations needed simply to follow this formula and devise specific contracts with specific time lines. USAID director urged the PM to ensure that the implementing agency understood the utility of Article 3 in these and other cases.

PM Says ONLF Taking Advantage of Humanitarian Access

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¶ 15. (C) Charge and USAID director described USG concerns about humanitarian access in parts of Ethiopia, especially the Ogadan where they said USAID, World Food Program, and other organizations work closely with federal, regional, and military officials on food distributions but often have practical difficulties nevertheless. Meles replied straightforwardly that the issue is whether some NGOs have as much freedom of movement as they would like and not whether

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people are going hungry. He said the Ethiopian military had had some "unfortunate experiences" with WFP and others involving the "smuggling of the wrong kinds of people from Somaliland and Puntland." These groups, he said, "hire drivers and translators who are associated with the ONLF" (Ogadan National Liberation Front). He said Ethiopia had no issue with the organizations themselves but "the bosses can't control the drivers" and asked rhetorically why WFP and other humanitarian organizations need "hundreds of cars." He said petty corruption compounds the problem but insisted that was not the real problem, adding that "I'm not sure all these cars will be given clearance." He singled out ICRC (International Committee of the Red Cross) radios as "being used for ONLF communications, all the way from Denmark to Ogadan." He offered to work with the USG to reduce friction regarding food delivery but reiterated that the problem from the GOE perspective was NGO management of local staff. USAID director agreed there was no famine on the horizon but insisted that problems with special needs nutrition for children remained serious and welcomed the PM's indication to work to further improve innovations such as the "hub-and-spokes" delivery system.

The Carter Center

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¶ 16. (C) To charge's indication that the Carter Center (TCC) was seriously considering whether to observe the May elections in Ethiopia in light of what it considered the inadequate time for preparation allowed by the ministry of foreign affairs, Meles said simply, "Maybe we are better off if they don't come. We asked for a one-month delay that would still give them as much time as they had last time." Charge remarked that the best result would actually be elections perceived as free and fair attested to by independent international observers such as TCC.

Visa Complaint

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¶ 17. (SBU) PM Meles raised the visa case of Somali Regional

President Dawed Mohammed (reftel), asking why Dawad had been "denied" a visa to the U.S. while "ONLF gets visas." P/E counselor replied that President Dawed had not been denied a visa but rather Washington had indicated that further investigation would be required. NOTE. Post is following up with PM staff the PM reference to ONLF. END NOTE.

YATES